

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

DERRICK JEROME LEWIS,

Case No. 1:23-cv-01093-SKO

Plaintiff,

ORDER TRANSFERRING CASE

v.

KIMBERLY J. MUELLER, et al.,

Defendants.

On July 20, 2023, Plaintiff Derrick Jerome Lewis, a state prisoner proceeding *pro se*, filed a complaint against approximately 76 Defendants, along with an application to proceed *in forma pauperis*. (Docs. 1, 2.) The complaint purports to allege numerous claims, including civil rights violations and claims of identity theft, fraud, and grand theft. (*See* Doc. 1 at 1, 6.) On July 31, 2023, this case was reassigned to the undersigned. (*See* Doc. 7.)

It is apparent from a reading of Plaintiff's allegations in the complaint that the gravamen of this case arose in the Sacramento Division of the Eastern District of California, and any relationship with the Fresno Division is minimal. While Plaintiff is incarcerated in Kern County, the majority of the named Defendants are associated with Sacramento. It is not entirely clear where the events

1 at issue in the complaint occurred, but Plaintiff indicates that the events occurred while he was out
2 of custody. (*See, e.g.*, Doc. 1 at 6–7.) For these reasons, this case should be transferred to the
3 Sacramento Division of the Eastern Division of California. Pursuant to Local Rule 120(f), a civil
4 action which has not been commenced in the proper court may, on the Court’s own motion, be
5 transferred to the proper court.

6 Accordingly, good cause appearing, IT IS HEREBY ORDERED that:

- 7 1. This case is transferred to the Sacramento Division of the United States District Court
8 for the Eastern District of California; and
- 9 2. All future filings shall refer to the new Sacramento case number assigned and shall
10 be filed at:

11 United States District Court
12 Eastern District of California
501 “I” Street, Suite 4-200
Sacramento, CA 95814

13 Plaintiff’s request to proceed *in forma pauperis* (Doc. 2) remains pending.

14 IT IS SO ORDERED.

15 Dated: August 2, 2023

16 /s/ Sheila K. Oberto
17 UNITED STATES MAGISTRATE JUDGE
18
19
20
21
22
23
24
25
26
27
28